IN THE HIGH COURT OF JUDICATURE OF BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 5067 OF 2004

Yogesh Vinod Ghuge & ors. ... Applicants

versus

The State of Maharashtra ... Respondent

...

Mr. V.V. Purwant, for the Applicants.

Mr. S.R. Shinde, A.P.P., for the Respondent.

...

CORAM : A.M.KHANWILKAR,J.

22nd November 2004

P.C.:

. Heard Counsel for the parties. The Counsel for the Applicants fairly states that since investigation is in progress, prayer for bail on behalf of Applicant Nos. 1 and 3 will not be pressed before this Court, with liberty to the said Applicants to approach the trial Court by filing fresh application after filing of the charge sheet, if so advised. In other words, this application is pressed only on behalf of Applicant No. 2.

. Applicant No. 2 is the wife of Applicant No. 1. As the Applicant No. 2 is a female, coupled with the fact that there is a child of one year, who is left behind and there is no one to look after the said child and that custodial interrogation of Applicant No. 2 is not necessary. In the peculiar facts and circumstances of the case, prayer for bail is granted sofar as Applicant No. 2 - Sou. Sapna Yogesh Ghuge - is concerned on the following conditions.

(a) Applicant No. 2 - Sou. Sapna Yogesh Ghuge - is enlarged on bail in connection with CR.No. 29/2004 registered at Mahabaleshwar Police Station on executing personal bond in the sum of Rs. 25,000/- (Rupees Twenty five thousand only) with two local sureties in the like amount.

(b) Applicant No. 2 shall regularly report to the nearest police station, i.e., Mira Road, Thane, Police Station, once in two weeks on Saturday between 10 a.m. to 1 p.m. and on such dates as may

be required by the investigating officer before the Mahabaleshwar Police Station.

(c) Applicant No. 2 shall not remove herself from the jurisdiction of Mira Road, Thane, Police Station, without prior intimation to the investigating officer of the Mahabaleshwar Police Station.

(d) Applicant No. 2 shall not influence the prosecution witnesses nor shall tamper with the prosecution evidence in any manner whatsoever.

. Application disposed of on the above terms.

. Parties to act on the authenticated copy of this order.

(A.M.KHANWILKAR,J.)